

# **New Hampshire Department of Revenue Administration**

## **Fiscal Note Quick Guide**

12-2461.0

**HB 1207-FN**, *defining the owner of timber rights for purposes of timber tax assessment.*

House Resources, Recreation and Development Committee

The proposed language changes the definition of “owner” and makes a distinction between ownership as joint tenants and tenants-in-common. The Department of Revenue Administration is unable to anticipate who would apply for an intent to cut based upon the proposed change in the definition of “owner” because the Department does not have data to project the type of ownership for any given set of intent to cuts. The Department does not anticipate a difference in the amount of revenue collected or the number of timber cutting operations. Therefore, there is no anticipated fiscal impact to the State, counties or municipalities.

The Department found it important to note that the common law property right of Tenancy in Common provides a tenant-in-common with a distinct and fractional ownership in property. Therefore, the allowance of one tenant-in-common to file an Intent to Cut timber could create situations in which municipalities may unknowingly allow the cutting of timber that is not owned by the tenant-in-common signing the intent to cut.